

Mr. Osgood moved that the Senate agree to the conference asked for by the Assembly, and to the appointment of a committee ;

Which was agreed to.

Thereupon Messrs. Barnes, Lykes and Durkee were appointed on the part of the Senate by the President *pro tem.*

Mr. Walker moved that the Senate adjourn;

Which was agreed to, and the Senate adjourned.

#### REMOVALS.

John W. Butler, from office of Sheriff, Santa Rosa county.  
Frank Smith, from office of Clerk Circuit Court, Santa Rosa county.

Alfred Holly, from office of Assessor, Santa Rosa county.

Joseph A. Atkins, from office of Clerk, Franklin county.

Robert Knickmeyer, from office of Collector, Franklin county.

#### SENATE CONFIRMATIONS.

F. E. de LaRua, to be Clerk Circuit Court, Escambia county.

Owen M. Avery, to be County Judge, Escambia county.

Joseph A. Atkins, to be Clerk of Franklin county.

WEDNESDAY, January 24, 1877.

The Senate met pursuant to adjournment.

The President *pro tem.* in the chair.

The roll was called, and the following Senators answered to their names :

Messrs. Barnes, Cottrell, Hendry, Long, McKinnon, McMeekin, Orman, Osgood, Patterson, Richard, Walker and Walls—12.

No quorum present.

On motion of Mr. Osgood, the Sergeant-at-Arms was instructed to summon absent members.

Other members coming in, Mr. Osgood moved to suspend a further call of the Senate, there being a quorum present ;

Which was agreed to.

Prayer by the Chaplain.

Mr. Barnes moved that the reading of the Journal be dispensed with ;

Which was agreed to, and the Journal corrected and approved.

A report to the Senate on the indebtedness of the estate of I. V. Garnie, by T. A. McDonell, State Attorney Fourth Circuit,

Was received, and referred to the Committee on Claims. A communication from the Supreme Court, as to appropriations to buy books for the Senate,

Was read, and referred to the Committee on Judiciary.

A package endorsed as testimony in the contested election in the First Senatorial District, addressed to the President of the Senate, was received.

Mr. Orman moved that it be referred to the Committee on Privileges and Elections.

On motion of Mr. Walls, General Wallace was invited to a seat within the bar of the Senate.

The Joint Committee on Enrollment made the following report :

SENATE CHAMBER,  
TALLAHASSEE, FLA., January 24, 1877. }

HON. J. L. F. COTTRELL,

*President pro tem. of the Senate :*

SIR :—The Joint Committee on Enrollment has examined Assembly bill No. 36, an act to declare and establish the appointment by the State of Florida of Electors for President and Vice-President, and find it correctly enrolled.

A. D. KcKINNON.

The President *pro tem.* announced to the Senate the signing of the following act to declare and establish the appointment by the State of Florida of Electors for President and Vice-President.

Mr. Wallace offered the following amendment to the motion of Mr. Orman :

That the further consideration of the contested election case in the First Senatorial District be postponed until to-morrow morning at 10.30 o'clock, and that the paper purporting to be testimony in said case, received by the President of the Senate this day, be referred to the Committee on Privileges and Elections, with instructions to report upon the same to-morrow at 10.30 o'clock A. M.

Mr. Hill offered the following amendment :

That the petition be referred to the Committee on Privileges and Elections, with instructions to report at as early a day as possible.

Mr. Hill withdrew his amendment.

Mr. Walls offered the following resolution :

*Resolved*, That further consideration of the contested case of election in the First Senatorial District be postponed until to-morrow morning at 10 o'clock, and that the communication be referred to the Committee on Privileges and Elections, who shall duly consider said communication, and report to-morrow morning at 10 o'clock.

The President *pro tem.* ruled the resolution out of order.

Mr. McCaskill moved to lay the subject under consideration on the table.

On motion of Mr. Walls, Mr. McCaskill withdrew his motion to lay on the table temporarily.

After some remarks, Mr. McCaskill renewed his motion to lay on table;

Which was agreed to.

A message was received from the Governor at the hands of his Private Secretary.

Under a suspension of the rule, Mr. Barnes introduced

Senate bill No. 26:

An act permitting Merchants to sell Ale, Beer and Cider without license;

Which was referred to the Committee on Finance and Taxation.

The Committee on Finance and Taxation made the following report:

SENATE CHAMBER,  
TALLAHASSEE, FLA., January 24, 1877. }

*To the Hon. President pro tem. of the Senate:*

SIR—Your Committee on Finance and Taxation, having considered Assembly bill No. 12:

To be entitled an act to prohibit Collectors of Revenue from receiving Comptroller's Warrants or Treasurer's Certificates issued prior to July 1, 1871, for taxes, except in certain cases, recommend that the same do pass.

A. L. McCASKILL, Chairman.

Which was read, and with the accompanying bill placed among the orders of the day.

The Committee on Finance and Taxation made the following report:

SENATE CHAMBER,  
TALLAHASSEE, FLA., January 24, 1877. }

*To the Hon. President pro tem. of the Senate:*

SIR—Your Committee on Finance and Taxation, having had under consideration Senate bill No. 14:

To be entitled an act to amend an act defining the duties and fixing the pay of County Commissioners,

Respectfully report that we can see no good reason that can accrue from the passage of the act under consideration.

There has been no complaint known to your committee against the operation and effect of the law as it at present exists that should warrant its passage.

Your committee therefore recommend that the same be indefinitely postponed.

A. L. McCASKILL, Chairman.

Which was read, and placed among the orders of the day.

The Joint Committee on Appropriations made the following report:

Hon. NOBLE A. HULL,

*President of the Senate:*

SIR—The Joint Committee of two from the Senate and three from the Assembly, to whom was referred Senate bill No. 2: To be entitled an act making appropriations to supply deficiencies in the Appropriations of 1875, and for defraying the expenses of the State Government for 1876, beg leave to report as follows:

That they have carefully considered each item contained therein in pursuance of their authority, and recommend that the bill be amended as follows:

In the sixth and seventh lines strike out, "For extra clerical work in Comptroller's office, three hundred dollars." In the seventh and eighth lines strike out, "To Attorney-General Cocke, for reporting decisions of the Supreme Court, two hundred and fifty dollars."

In the ninth and tenth lines strike out "three hundred and thirty dollars and sixteen cents" and insert "one hundred and fifty dollars."

In the tenth and eleventh lines strike out "five thousand and fifty dollars and twenty-two cents," and insert in lieu thereof "twenty-five hundred dollars."

In the thirteenth line strike out "twenty-five hundred" and insert "two thousand."

Sec. 2. In the eighth line strike out "two hundred."

In the ninth line strike out "twenty" and insert "seventeen."

In the tenth line strike out "For residence of Governor, five hundred dollars."

In the sixteenth and seventeenth lines strike out, "To Attorney-General Cocke, for reporting decisions of Supreme Court, two hundred and fifty dollars."

Add: For amount due F. M. Weeks, salary for 1875, as per Comptroller's books, four hundred and forty-five dollars.

In relation to the items stricken out and altered, your Committee find as follows:

In section 1, the three hundred dollars for clerical work in

Comptroller's office we deemed unnecessary. The two items of two hundred and fifty dollars each in sections 1 and 2, to the Attorney-General, we do not think in accordance with law.

The item of one hundred and fifty dollars, for stationery for the Legislature of 1875, after a careful examination of prices charged, we deem ample compensation.

The appropriation for expenses of State Prison were cut down five thousand five hundred and fifty dollars and seventy-two cents, for the reason that it was in excess of amount needed for the current year.

The deduction of five hundred dollars on printing for Commissioner of Lands and Immigration was made by negotiation with the parties to whom it is due, and we think the amount now fixed should be paid.

We think the five hundred dollars appropriated for residence of Governor is not warranted by law, and is therefore stricken out.

All other items in said bill are either fixed by law or called for by proper vouchers, which were duly examined by us and found correct.

Your Committee advise great care in the awarding of contracts for Prison supplies. While we find the contract for provisions and produce regular in every particular, yet the prices paid have been too large, and not warranted by the average ruling of those markets for the past year.

All of which is respectfully submitted.

A. FERGUSON,  
W. D. BARNES,  
Committee on part of the Senate.  
P. P. BISHOP,  
JOHN T. LESLEY,  
JESSE B. LASSITER,  
Committee on part of the Assembly.

Which was read, and placed among the orders of the day.

The Joint Committee on Enrollment made the following report:

SENATE CHAMBER,  
TALLAHASSEE, FLA., Jan. 24, 1877. }

HON. J. L. F. COTTRELL,

*President pro tem. of the Senate:*

SIR:—The Joint Committee on Enrollment has delivered to his Excellency, the Governor, for his consideration, Assembly bill No. 36: An act to declare and establish the appointment by the State of Florida of Electors for President and Vice-President.

Which was read.

A. D. MCKINNON.

The Committee on Privileges and Elections made a minority report;

Which was read.

Mr. Walls rose to a privileged question, and asked to read the evidence submitted in the contested election case from the First District.

The President ruled the motion to be out of order.

Mr. Walls appealed from the decision of the chair;

Upon which the yeas and nays were called for by Messrs. Walls, Wallace and Osgood.

Upon the question of appeal the vote was:

Yeas—Messrs. Barnes, Brantley, Cottrell, Durkee, Hendry, Johnson, Lykes, McCaskill, McKinnon, McMeekin, Orman, Patterson, Richard, Walker, Wallace and Weeks—16.

Nays—Messrs. Long, Meacham, Osgood and Walls—4.

So the decision of the President was sustained.

Assembly bill No. 12:

To be entitled an act to prohibit Collectors of Revenue from receiving Comptroller's warrants or Treasurer's certificates issued prior to July, A. D. 1871, for taxes, except in certain cases,

Was read the second time,

The rule was suspended, and the bill read the third time.

On motion of Mr. Durkee, the bill was placed back upon its second reading, in order to amend its title;

Which was agreed to.

Mr. McCaskill moved that the rule be suspended, and that the bill be read the third time and put upon its passage;

Which was agreed to.

Upon the question, Shall the bill pass?

The vote was:

Yeas—Messrs. Barnes, Brantley, Cottrell, Durkee, Ferguson, Hendry, Hill, Howell, Johnson, Long, Lykes, McCaskill, McKinnon, McMeekin, Orman, Osgood, Patterson, Richard, Walker and Weeks—20.

Nays—Mr. Walls—1.

So the bill passed, title as amended.

Ordered that the same be certified to the Assembly.

Senate bill No. 14:

To be entitled an act to amend an act defining the duties and fixing the pay of County Commissioners,

Was read the second time.

Mr. McCaskill moved that the bill be indefinitely postponed.

The yeas and nays were called for by Messrs. Osgood, Hill and Walls.

The vote was:

Yeas—Messrs. Brantley, Cottrell, Durkee, Ferguson, Hendry, Howell, Johnson, Long, Lykes, McCaskill, McKinnon, Meacham, Orman, Patterson, Walker, Wallace, Walls and Weeks—18.

Nays—Messrs. Barnes, Hill, McMeekin, Osgood and Richard—5.

So the bill was indefinitely postponed.

Under a suspension of the rule, Mr. Meacham moved that the Escambia contest be postponed until to-morrow at half-past ten o'clock and made the special order of the day.

Mr. Barnes moved to amend as follows:

That the two reports of the Committee on Privileges and Elections, together with the paper on the table, purporting to be evidence in the case of the contested election from the 1st District, be recommitted to said committee, and that the case referred to be made the special order of the day for 10:30 o'clock to-morrow;

Which amendment was agreed to by Mr. Meacham.

So the motion to recommit was agreed to.

On motion of Mr. McCaskill, the Senate adjourned until to-morrow at 10 o'clock.

#### REMOVALS.

A. A. Hoyte from office of Clerk of Circuit Court, Columbia county.

John W. Tompkins from office of Sheriff, Columbia county.

W. H. Gunn from office of Clerk of Circuit Court, Liberty county.

G. M. Shepard from office of Assessor, Liberty County.

C. B. Edwards from office of Collector, Liberty county.

#### CONFIRMATIONS.

Robert Knickmeyer to be Collector for Franklin county.

Washington M. Ives, Jr., to be County Judge for Columbia county.

John Vanzant, Jr., to be Clerk Circuit Court for Columbia county.

John C. Henry to be Sheriff for Columbia county.

Jacob G. Ellis to be Assessor for Columbia county.

Thomas W. Getzin to be Collector for Columbia county.

M. J. Soloman to be Clerk of Circuit Court for Liberty county.

G. M. Shepard to be Assessor for Liberty county.

D. D. Howell to be Collector for Liberty county.

THURSDAY, January 25, 1877.

The Senate met pursuant to adjournment.

The President *pro tem.* in the chair.

The roll being called, the following Senators answered to their names:

Messrs. Barnes, Cottrell, Ferguson, Hendry, Hill, Johnson, Long, Lykes, McCaskill, McKinnon, McMeekin, Osgood, Patterson, Wallace; Walls and Weeks—16.

A quorum present.

Prayer by the Chaplain.

Mr. Osgood moved that the reading of the Journal be dispensed with;

Which was agreed to, and the Journal corrected and approved.

A message was received from the Governor by the hands of his private Secretary.

The hour for the special order of the day having arrived, Mr. Meacham moved that the special order be postponed for ten minutes;

Which was agreed to.

Mr. Walker, Chairman of the Committee on Privileges and Elections, made the following report:

SENATE CHAMBER,  
TALLAHASSEE, FLA., January 24, 1877.)

TO THE HON. J. L. F. COTTRELL,

*President pro tem. of the Senate:*

SIR—Your Committee on Privileges and Elections, to whom was referred a paper purporting to be evidence in the contested election case from the First Senatorial District, and to whom also was recommitted the majority and minority reports heretofore made to the Senate in said case, beg leave to report that they have held the contest referred to under consideration for days; that after repeated delays, at the instance of the contestee, to enable him to procure testimony, they found it necessary to fix a day certain upon which the evidence should close, and Thursday, the 18th, and at 4 P. M., was the day agreed upon; that your committee then heard the arguments on both sides, by their respective counsel, and were preparing to make their report, when the respondent asked to be permitted to introduce additional testimony, which your committee declined to allow, as the case had been closed. But the minority report of the committee, which has been referred to us, has engrafted into it a portion of that rejected testimony, which should not be placed before the Senate in that irregular manner, especially as no other testimony in the case has been laid